

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY NICOSIA

AMEMBASSY ANKARA

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E.O. 11652: N/A

TAGS: PFOR, CY, TU, CVIS

SUBJECT: TURK-CYPRIOT TRAVEL DOCUMENTS

REF: NICOSIA 1871

1. DEPT SHARES EMBASSY VIEW THAT TRAVEL DOCUMENTATION DOES NOT CONSTITUTE VALID PASSPORT UNDER IMMIGRATION AND NATIONALITY ACT, AS AMENDED. THE DEPT HAS BROAD DISCRETION AS TO WHAT PASSPORTS MEETING THE DEFINITION AT 8 USC 1101 (A)(30) ARE ACCEPTABLE FOR PURPOSES OF VISA ISSUANCE AND ADMISSION INTO US AND HAS, IN THE PAST, ADOPTED A PRAGMATIC APPROACH WHICH HAS PERMITTED ACCEPTANCE OF PASSPORTS OF UNRECOGNIZED GOVERNMENTS.

2. HOWEVER, THE SELF-DECLARED LEGAL STATUS OF TFSC PRECLUDES CONSIDERING IT AS A COMPETENT ISSUING AUTHORITY CONSISTENT WITH RELEVANT US DEFINITIONS AND PAST PRACTICE, EITHER WITH RESPECT TO IDENTIFICATION OF ORIGIN, IDENTITY AND NATIONALITY, OR WITH RESPECT TO EVIDENCE OF ADMISSION.
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BILITY INTO A FOREIGN COUNTRY. FUTURE UNILATERAL CHANGE

IN TFSC STATUS WOULD NOT ENTAIL IMMEDIATE RECONSIDERATION OF THIS POSITION.

3. DEPT WOULD ENCOURAGE EMBASSY NICOSIA TO CONTINUE

PRACTICE DESCRIBED AT PARA 2 REFTTEL, ASSISTING AS PRACTICABLE AND APPROPRIATE TURK CYPRIOTS IN OBTAINING VALID GOC PASSPORTS.

4. FYI: IN EVENT EITHER TFSC OR GOC PREVENTS TURK CYPRIOT APPLICATIONS FOR GOC DOCUMENTATION, DEPT PREPARED TO CONSIDER WAIVER OF PASSPORT REQUIREMENTS IN ACCORDANCE WITH PROCEDURES AT 22 CFR 41.7(G) IN CASE OF NON-IMMIGRANTS AND AT 22 CFR 42.6(H)(2) IN CASE OF IMMIGRANTS. NUMBERS POTENTIALLY INVOLVED DO NOT SUGGEST SERIOUS PROCEDURAL DIFFICULTIES WITH SUCH WAIVERS. IN ANY CASE, WE DO NOT WANT TO INDICATE TO TURKISH CYPRIOT AUTHORITIES AT THIS POINT THAT THIS IS A POSSIBILITY. END FYI.

5. IF FURTHER REPLY TO TFSC DIRECTOR OF MIGRATION REQUIRED, DEPT BELIEVES USG POSITION SHOULD BE EXPLAINED ALONG FOLLOWING LINES:

-- TFSC TRAVEL DOCUMENTATION WILL NOT BE CONSIDERED AS A VALID PASSPORT FOR PURPOSES OF APPLICATION FOR USG IMMIGRANT OR NON-IMMIGRANT VISAS OR ADMISSION TO US IN ACCORDANCE WITH PROVISIONS OF RELEVANT US LAW AND PAST PRACTICE.

-- TURKISH CYPRIOTS HOLDING VALID GOC PASSPORTS WILL OF COURSE CONTINUE TO BE ROUTINELY PROCESSED BY EMBASSY AND US AUTHORITIES.

6. EMBASSY SHOULD NOT VOLUNTEER, BUT MAY ADD FOLLOWING ADDITIONAL EXPLANATION OF US POSITION, IF PRESSED BY TURKISH CYPRIOT QUESTIONS:

-- LACK OF GOC TRAVEL DOCUMENTATION WILL NOT NECESSARILY PREVENT TURKISH CYPRIOTS FROM TRAVELING TO US, BUT WILL LIMITED OFFICIAL USE

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ENTAIL INCREASED PROCEDURAL BURDEN AND CONSEQUENT LENGTHY DELAYS.

-- USG WOULD VIEW ACTIVE TFSC MEASURES TO INTERFERE WITH TURK CYPRIOT APPLICATIONS FOR GOC PASSPORTS AS UNNECESSARY BURDEN ON TRAVEL OF TURK CYPRIOTS. SISCO

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